



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,588	04/01/2004	Patrick W. McManus	14858-0006	1161

27268 7590 11/30/2009

BAKER & DANIELS LLP  
300 NORTH MERIDIAN STREET  
SUITE 2700  
INDIANAPOLIS, IN 46204

EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 11/30/2009

Please find below and/or attached an Office communication concerning this application or proceeding.

Attachment to form PTOL-462

1. In view of the numerous claims on appeal and in view of the numerous claim rejections under the prior art submitted for Board review, it is requested that appellant assist the examiner in detailed review of any future submitted Appeal Brief to ensure that all claim status and arguments toward claim rejections are complete and correct. To the extent that the multiple Notices of Non-Compliant Brief previously submitted to appellant (including the Non-Compliant Notice generated in response to the Board of Appeals "Order Returning Undocketed Appeal" of 3/11/09) could be considered as oversight by the Patent Office, any inconvenience caused appellant is regretted.

2. The examiner has identified the defects in the brief filed 8/13/09 as listed below.

In the "Status of Claims" section of the brief, appellant has failed to list any status for pending claims 4-6. These claims should be included in the listing of withdrawn claims.

In the "Claims Appendix" section of the brief, appellant has not properly marked claims 4-6 with the qualifier "(Withdrawn)".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gordon whose telephone number is (571) 272-

6661. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen Gordon/  
Primary Examiner  
Art Unit 3612

stg